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14 Attorneys for Plaintiff:  
15 SimonMed Imaging, Inc.

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18 UNITED STATES DISTRICT COURT  
19 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

20  
21 SIMONMED IMAGING, INC., an ARIZONA  
CORPORATION,

22 Plaintiff,

23 v.

24 DIGNITY HEALTH, a DOMESTIC  
25 NONPROFIT CALIFORNIA  
CORPORATION, Does 1 through 10,

26 Defendant.  
27  
28

**CASE NO.: 17-cv-02907-JST**

**JOINT STIPULATION AND  
~~PROPOSED~~ ORDER RE  
POSTPONING CASE DEADLINES  
PENDING SETTLEMENT  
AGREEMENT**

1 Plaintiff SimonMed Imaging, Inc. ("SimonMed") and Defendant Dignity Health  
2 ("Dignity") (collectively "the Parties") hereby jointly request and stipulate as follows:

3 WHEREAS the Court issued a Scheduling Order on September 13, 2017 containing  
4 discovery, pre-trial, and trial deadlines and dates ("Scheduling Order");

5 WHEREAS the Parties filed a Joint Stipulation and Proposed Order re Schedule on  
6 January 16, 2018 postponing dates for motions on the pleadings ("Motion(s)");

7 WHEREAS the Court signed the Proposed Order re Schedule on January 17, 2018  
8 ("Motions Schedule");

9 WHEREAS the Parties continue to work towards resolution of the case and have signed a  
10 Letter of Intent on the framework for settlement;

11 WHEREAS the Parties have exchanged versions of a draft settlement agreement and are  
12 currently attempting to finalize the settlement agreement;

13 WHEREAS the Parties seek to avoid additional and unnecessary litigation costs including  
14 the filing of motions and new pleadings by further postponing all impending deadlines by  
15 approximately sixty days while the Parties finalize a settlement agreement;

16 WHEREAS under the signed Letter of Intent the interests will transfer and the case will  
17 effectively be resolved prior to the next proposed case deadline.

18 Based on the foregoing, the Parties hereby stipulate to the following modifications to the  
19 Motions Schedule and Scheduling Order dates:

Event	Current Date	Proposed Date
Deadline to either file Motion(s) or, in the alternative, file a responsive pleading	February 22, 2018	April 23, 2018
Deadline to file oppositions to Motion(s)	March 8, 2018	May 7, 2018
Deadline to file replies to Motions(s)	March 15, 2018	May 14, 2018
Hearing on Motions & Further CMC	April 5, 2018 at 2 p.m. Courtroom 9, 19th Floor	<del>June 14, 2018</del> <del>June 7, 2018</del> at 2 p.m. Courtroom 9, 19th Floor

Fact discovery cut-off	May 4, 2018	July 3, 2018
Expert disclosures	May 25, 2018	July 24, 2018
Expert rebuttal	June 15, 2018	August 14, 2018
Expert discovery cut-off	June 29, 2018	August 28, 2018
Deadline to file dispositive motions	July 20, 2018	September 18, 2018

The Parties further stipulate to remove the pretrial conference statement deadline, the pretrial conference date, and the trial date from the Court calendar as they currently stand on October 2, 2018, October 12, 2018 at 2:00 p.m., and November 5, 2018 at 8:30 a.m. respectively.

Dated: February 20, 2018

MILLSTEIN & ASSOCIATES

By: /s/ Gerald Richelson

David Millstein  
Gerald Richelson

Attorneys for Plaintiff  
SIMONMED IMAGING, INC.

JONES DAY

Dated: February 20, 2018

By: /s/ Rowan Mason

Brian Selden  
Rowan Mason

Attorneys for Defendant  
DIGNITY HEALTH

**FILER'S ATTESTATION**

I attest under penalty of perjury that concurrence in the filing of this document has been obtained from all signatories.

Dated: February 20, 2018

JONES DAY

By: /s/ Rowan Mason

Brian Selden

Rowan Mason

Attorneys for  
DIGNITY HEALTH

**~~PROPOSED~~ ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED. THE COURT DOES NOT  
ANTICIPATE GRANTING ANY FURTHER CONTINUANCES

DATED: February 21, 2018

  
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HONORABLE JON S. TIGAR  
UNITED STATES DISTRICT JUDGE